

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/575,592	
	Filing Date	April 12, 2006	
	First Named Inventor	Anthony Kettle, et. al.	
	Art Unit	Not Known	
	Examiner Name	Not Known	
Total Number of Pages in This Submission	20	Attorney Docket Number	101250-1P US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 13 References International Search Report International-Type Search Report
Remarks _____		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	AstraZeneca Pharmaceuticals (address associated with Customer No. 22466)	
Signature	<i>Karen H. Kondrad</i>	
Printed name	Karen H. Kondrad	
Date	July 21, 2006	Reg. No. 38,212

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature	<i>Marie M. Grelach</i>	
Typed or printed name	Marie M. Grelach	Date July 21, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MB/

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/575,592	Applicant: Anthony Kettle, et. al.
371 Filing Date: April 12, 2006	Attorney Docket No.: 101250-1P US
Examiner: Not Known	Group Art Unit : Not Known
Customer No.: 22466	Confirmation No.: Not Known
Title: Novel Thioxanthine Derivatives for Use as Inhibitors of MPO	

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 21, 2006



Signature  
Marie M. Greloch

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir,

Applicants submit herewith a list of patents and publications pursuant to the duty to disclose in accordance with 37 C.F.R. § 1.56.

In accordance with 37 C.F.R. § 1.97 (g) and (h), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or that the information cited is material to patentability as defined in 37 C.F.R. § 1.56.

In accordance with the U.S. Patent Office's partial waiver of the requirement under 37 C.F.R. 1.98(a)(2)(i), only copies of the foreign patent documents and non-patent publications are enclosed.

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed:

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office Action** on the merits, or before the mailing of a **first Office Action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final Action** or a **Notice of Allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the Commissioner is hereby authorized to charge the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00** to deposit account No. \_\_\_\_\_, referencing Attorney Docket No. \_\_\_\_\_, or
- ☐ (3) after the mailing date of a **final Action** or **Notice of Allowance** but before the payment of the **Issue Fee, AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the Commissioner is hereby authorized to charge the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00** to deposit account No. \_\_\_\_\_, referencing Attorney Docket No. \_\_\_\_\_, or

It is respectfully requested that each of the patents and publications listed on the attached Form SB08, and other information contained herein, be considered by the Examiner and made of record in this application

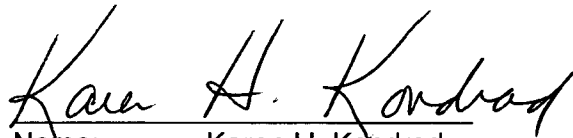
Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any deficiency in the fees or credit any overpayment to deposit account No. 26-0166 referencing Attorney Docket No. 101250-1P US.

**STATEMENT**

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that:

- ☐ (1) Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ (2) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Name: Karen H. Kondrad  
Dated: July 21, 2006  
Reg. No.: 38,212  
Phone No.: 302.886.8975

Global Intellectual Property, Patents,  
AstraZeneca,  
1800 Concord Pike,  
Wilmington,  
DE-19850-5437

Enclosures: Form SB08A  
Form SB08B

Application Number	10/575,592
Filing Date	April 12, 2006
First Named Inventor	Anthony Kettle, et. al.
Art Unit	Not Known
Examiner Name	Not Known
Attorney Docket Number	101250-1P US

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>2</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	A1	WO 02/08237 A2	01-31-2002	Mark B. Lyles		
	A2	WO 03/089430 A1	10-30-2003	Sverker Hanson, et. al.		
	A3	WO 96/18400	06-20-1996	David J. Cavalla, et. al.		

Examiner Signature	/Mark Berch/ (02/25/2009)	Date Considered	
-----------------------	---------------------------	--------------------	--

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MB/

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>			
		Application Number	10/575,592		
		Filing Date	April 12, 2006		
		First Named Inventor	Anthony Kettle, et. al.		
		Art Unit	Not Known		
		Examiner Name	Not Known		
Sheet 1	1	of	1	Attorney Docket Number	101250-1P US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A4	Van Zyle, et. al., "Interaction of Methyl-Xanthines . . . Anti-Inflammatory Mechanism, International Journal of Biochem (1992), 24(6), pages 929-935	
	A5	Caplus AN No. 1968:434597, Document No. 69:34597, Dietz, et. al., "The Hypnotic Properties . . . 6-Thiotheophylline Sodium, Toxicology and Applied Pharmc, 12 2002-6, 1968	
	A6	Caplus An No: 1966:420839, Document No. 65:20839, Dietz, et. al., "The Synthesis . . . 8-Alkylthio-Thiated Theophyllines", Journal of Medicinal Chem, 9(4), 500-6, 1966	
	A7	Caplus An No: 1966:35888, Document No. 64:35888, Dietz, et. al., "Synthesis of Some . . . 8-Alkylthio-6-Thiotheophyllines", Journal of Medicinal Chem, 9(1), 160, 1966	
	A8	Caplus An No: 1974:82889, No. 80:82889, Uri Reichman, et al., "Tautomerism, Ionization . . . hypoxanthines", Jrnl of the Chem Society, Organic & BioOrganic Chem (1972-1999)	
	A9	Caplus An No: 1984:630460, Document 101:230460, Talukdar, et. al., "Studies on ring-fused . . . Derivatives", Indian Jrnl of Chem, Section B:Organic Chemistry, 23B(4), 316-20	
	A10	STN International, File Registry, "2H Purin 2-one, 1,3,6,7-Tetrahydro-8-(methylthio)-6-thioxo-(9CI)", Registry No: 500336-85-6	
	A11	STN International, File Registry, "2-H Purin 2-one, 1,3,6,7-Tetrahydro-8-(propylthio)-6-thioxo-, sodium salt (9CI)", Registry No: 5784-48-5	
	A12	STN International, File Registry, 1H-Purine-2,6-dithione, 3,7-dihydro-1,3-dimethyl-8-(methylthio)-, sodium salt (9CI). Registry No: 5779-06-5	
	A13	STN International, File Registry, "2H-Purin-2-one, 8-[(1-ethylbutyl)thio]-1,3,6,7-tetrahydro-1,3-dimethyl-6-thioxo-, sodium salt (9CI)". Registry No: 5779-06-6	

Examiner Signature	/Mark Berch/ (02/25/2009)	Date Considered	
--------------------	---------------------------	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MB/